

2/6072

STATE OF SOUTH CAROLINA

(Caption of Case)

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2009-145-C

(Please type or print)

Submitted by: Ed Phillips

SC Bar Number: _____

Address: 14111 Capital Boulevard
Wake Forest, NC 27587Telephone: (919) 554-7870Fax: (919) 554-7595

Other: _____

Email: edward.phillips@embarg.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☒ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input checked="" type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Voice | Data | Internet | Wireless | Entertainment



Embarq
Mailstop: NCWKFR0313
14111 Capital Boulevard
Wake Forest, NC 27587
embarq.com

April 1, 2009

Ms. Daphne Duke
Information Resource Consultant
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: INTERCONNECTION, COLLOCATION AND RESALE AGREEMENT BETWEEN
UNITED TELEPHONE COMPANY OF THE CAROLINAS LLC D/B/A EMBARQ
AND TENNESSEE TELEPHONE SERVICE, LLC D/B/A FREEDOM
COMMUNICATIONS USA, LLC

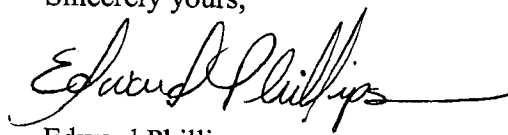
Dear Ms. Duke:

United Telephone Company of the Carolinas LLC d/b/a Embarq ("Embarq") and Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC hereby submit their Interconnection, Collocation and Resale Agreement for the State of South Carolina with an effective date of March 1, 2009, for approval by the Public Service Commission of South Carolina. Please note that this agreement consists of a 2-page document which identifies the parties and adopts the terms and conditions of another agreement which was approved by the Commission in Docket No. 2008-379-C.

Embarq and Tennessee Telephone Service respectfully request that the Commission approve this agreement. Under cover of this letter, a copy of the agreement is being served upon Tennessee Telephone Service.

Embarq is represented in this matter by Mr. Scott Elliott, Elliott & Elliott, P.A., 721 Olive Street, Columbia, South Carolina 29205 (803-771-0555). Please contact either Mr. Elliott or me if there are any questions.

Sincerely yours,



Edward Phillips

HEP:twc

Enclosures

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COUNSEL
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Fax: (919) 554-7913
edward.phillips@embarq.com

**INTERCONNECTION, COLLOCATION AND RESALE AGREEMENT
FOR THE STATE OF SOUTH CAROLINA**

Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC

and

United Telephone Company of the Carolinas LLC d/b/a Embarq

This Interconnection, Collocation and Resale Agreement ("Agreement"), dated March 1, 2009, is entered into by between Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC, a South Carolina CLEC, and United Telephone Company of the Carolinas LLC d/b/a Embarq ("Embarq"), a South Carolina corporation, to establish the rates, terms and conditions for local interconnection, local resale, collocation, and the purchase of unbundled network elements for the state of South Carolina. Embarq and CLEC may be referred to individually as a "Party" and together as the "Parties."

NOW THEREFORE, the Parties agree as follows:

1. CONDITIONS

The Parties agree that the Agreement between the Parties shall consist of the Interconnection, Collocation and Resale Agreement for the state of South Carolina entered into by and between Embarq and Granite Telecommunications, LLC, dated September 25, 2008 ("Adopted Agreement").

All services provided under this Agreement will be consistent with the decisions of courts having jurisdiction over this Agreement, including but not limited to the decisions of the Court of Appeals and the United States Supreme Court.

2. PARTIES:

CLEC is hereby substituted in the Adopted Agreement for Granite Telecommunications, LLC. Embarq shall remain as the other Party to the Adopted Agreement. Except as modified herein, the Agreement shall in all other respects reflect the same terms as the Adopted Agreement.

3. TERM:

This termination date of this Agreement is September 25, 2010, which corresponds with the End Date of the Adopted Agreement.

4. **NOTICES:**

Except as otherwise provided, all notices and other communication hereunder shall be deemed to have been duly given when made in writing and delivered in person or deposited in the United States mail, certified mail, postage paid, return receipt requested and addressed as follows:

If to Director, Contract Management
Embarq: Embarq
9300 Metcalf
KSOPKB0402-413
Overland Park, KS 66212

If to Matt Davis, CEO
CLEC: Tennessee Telephone Services
220 Creekside Drive
Dickson, TN 37035

Senior Attorney
Embarq External Affairs
14111 Capital Blvd.
MS: NCWKFR03-3161
Wake Forest, NC 27587-5900


5. **MISCELLANEOUS**

5.1 This Agreement, executed by authorized representatives of Embarq and CLEC, is made a part of and incorporates the terms and conditions of this Agreement and the Adopted Agreement.

5.2. In the event of a conflict between the terms of this Agreement and the Adopted Agreement, this Agreement will control.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly respective authorized representatives.

"Embarq"


By: 

Name : Michael R. Hunsucker

Title: Director, Contract Management

Date: 3-12-09

"CLEC"

By: 

Name: Matt Davis

Title: CEO

Date: March 4, 2009